

**MINUTES OF THE REGULAR MEETING OF THE GRANTSVILLE CITY
COUNCIL HELD WEDNESDAY, JULY 26, 2000.**

Mayor and Council Present: Mayor Merle Cole. Council Members: Byron Anderson, Craig Anderson, Kevin Hall, and Karen Watson.

Appointed officers and employees present: Wendy Palmer, City Recorder, Attorney Ronald Elton.

Citizens and Guests: Joe Borgenicht (press), Robert Lawrence, Howard Clegg, Mr. & Mrs. Bruce Clegg, Joe Cange, Richard and Penney Anderson, Kathy Jones, Danielle Estrada, Jay Weyland, Betty Williams, Lynn Taylor, Rosemary Anderson, Katherine Bitner, Monte McKendrick.

PUBLIC HEARINGS:

- a. Consideration of abandonment of Clay Street, East of Booth Street:** Mayor opened the public hearing to receive comment on the proposed abandonment of Clay Street East of Booth Street at 7:05 p.m.

Robert Lawrence a property owner on the portion of Clay Street proposed to be abandoned asked the Mayor and Council if they are planning to fence the property? Mayor stated that the city would not fence the road off. Attorney Elton stated that the property owners could as long as the other property owners could access their property. Kevin stated that the road would be upgraded prior to the city abandons the road. Kevin informed the Mayor and Council that the cement from the sidewalk project was placed on this portion of Clay Street as a base to fill the mud holes and provide some stability for some road fines. Mayor asked Mr. Lawrence if he was in favor or against the abandoning of Clay Street. Mr. Lawrence stated that he had for no problem with it. Mr. Lawrence wanted to know if the water problem will be the responsibility of the landowners or will the city require the developer to take care of the water problem? Mayor Cole stated that he would try one more time to try and get the developer to fix the drainage. Mayor asked for any further comment? No further comment being offered the Mayor closed the public hearing at 7:13 p.m.

- b. Consideration of a zone change request at approximately 410 W. Clark. The request is to change the zone from R1-8 to A-10:** Mayor opened the public hearing at 7:13 p.m. Jay Weyland addressed the Council and Mayor stating that he was not aware that a zone change had taken place on his property in 1996. Mr. Weyland has animals on his property and would like to keep that ability in the future without worrying about a legal non-conforming use. Mr. Weyland explained that the R18 zone does not allow for animal uses. Attorney Elton asked Mr. Weyland if he would assist in providing a property description of the zone change area. Attorney Elton stated that the current description has an error. Mayor asked for any further comment? No further comment being offered the Mayor closed the public hearing at 7:16 p.m.

Mayor informed those present that the zone change consideration would be on the August 2nd, 2000 agenda. Attorney Elton suggested that the consideration of abandoning Clay Street should not be considered until the roadwork is done - Mayor and Council stated that this issue is to be placed on the August 16, 2000 City Council agenda.

APPROVAL OF MINUTES: Craig made the motion to approve the minutes of the June 21, 2000 City Council meeting with grammatical corrections, and Recorder was ask to specify who expressed their concerns under the water issues "concerns" pages two and three. Seconded by Kevin. All voted in favor except for Byron who abstained due to his absence at this meeting.

Mayor's Announcements: Mayor stated that he was pleased that the Grantsville High School Band was spot lighted for the Days of 47 Parade on the 24th of July. It was nice to see Amy Christiansen Palmer highlighted as a Summer Olympic Games Participant in the Parade as well. Byron stated that Cheryl Barrus is organizing a fund raising campaign to help Amy get to the Olympics with her Coach and Husband. Byron stated that Amy needs to raise about \$15,000. Byron stated that the committee is holding another meeting on August 3, 2000.

YOUTH CITY COUNCIL: Katherine Bitner Youth City Council Mayor thanked the Council for the donation for the Water Carnival. The Youth City Council earned \$1400.00 for their scholarship fund. Ms. Bitner asked the Mayor and Council if they would be willing to send up to eight Youth City Council member to Camp Williams this summer? Byron made the motion to support the Youth City Council in their effort to attend the Youth Council Conference at Camp Williams. Seconded by Karen. All voted in favor, motion carried.

RUSS FARNSWORTH – WAVIER OF SUBDIVISION MORATORIUM: Mr. Farnsworth was not present.

RANDY MITCHELL – REDI-THERM INSULATION – PLACEMENT OF RECYCLE CONTAINER: Mr. Mitchell was not present. Mayor asked Craig if he was aware of this problem? Craig stated that Mr. Mitchell placed a paper recycle container in Soelberg’s parking lot. The zone does not allow for the placement of a recycle container and Mr. Mitchell was informed of that prior to placement of the container. The Zoning Administrator, Shauna Kertamus sent Soelberg’s a letter informing them of the violation and Soelberg’s asked Mr. Mitchell to remove the container from their property. Mayor and Council stated that we as a city should encourage recycling and asked that the Planning Commission consider adding placement of recycling containers in the CS zone as a conditional use.

CONSIDERATION OF NEW BUSINESS LICENSES:

Marlo Walker – 255 E. Main – Craft Sales - Kevin made a motion to approve the business license for craft sales at 255 E. Main Street. Seconded by Craig. All voted in favor, motion carried.

Michael K. Martin – 159 E. North Street – Landscaping: Kevin made the motion to approve the business license for Michael K. Martin at 159 E. North Street for a landscaping business. Seconded by Karen. All voted in favor, motion carried.

Dennis G. Price – 21 N. SR 138 – bicycle repair and sales: Motion was made by Kevin to approve the business license for Dennis Price for bicycle repair and sales at 31 N. SR 138. Seconded by Karen. All voted in favor, motion carried.

Keri McCord – 273 E. North Street – Jewelry Making: Karen made the motion to approve the business lice for Keri McCord at 273 N. Hale Street. Seconded by Craig. All voted in favor, motion carried.

No license application or written appeal was received from Cynthia Kolkmann or Jeffery Kolkmann.

CONSIDERATION OF SALARY STEP INCREASE: Karen made the motion to approve the salary step increase from Ron Griffin from Grade 12 step 1 to Grade 12 step 2. Seconded by Kevin. All voted in favor, motion carried.

CEMETERY ISSUE: Byron informed those present that he has received a request from Danielle Estrada to be able to install a granite sitting bench and planting of trees in the cemetery. Mrs. Estrada has purchased extra spaces around her husband’s burial space and would like to install these items on the extra spaces. Mrs. Estrada handed out pictures of the type of sitting bench that she would like to install. The bench is maintenance friendly due to the base being filled in with cement and the cement base is larger than the bench so a mower could mow even with the base. Byron made the motion to approve the bench and tree request of Danielle Estrada. Seconded by Karen. All voted in favor, motion carried. Mrs. Estrada was directed to contact Joel Kertamus prior to placement of the bench and trees.

WATER ISSUES: Mayor Cole stated that these issues are ready once the paper work is received from Attorney John Anderson. Recorder Palmer stated that the office staff is asking for direction from the Mayor and Council on the issue of billing of multiple units. Recorder Palmer stated that this year the Utility Clerk, JoAnn Hanson has discovered

several cases where a landlord has informed the City Hall that an apartment or trailer is empty and then discovered that a renter has been living there all of the time. Recorder Palmer stated that it has been the policy of the city to accept the landlord's word on vacancies of apartments or trailers. The city has then accepted that the landlord will call and inform the city that a renter has moved in. In the past several months when the landlord has failed to pay a bill or a water line has broken it has been the renters that have called to find out why they have no water. Recorder Palmer stated that in other cities she has found that rentals are charged their minimum amount for every apartment whether a renter is living in the unit or not. Mayor and Council asked the Recorder to find out what other cities our size are doing in these same circumstances? This issue to be on the next agenda.

Craig reported that the natural landscape issue is not resolved. The Planning Commission did not make any recommendations. They requested more information from the City Council. Craig stated that the Planning Commission wants to know if the Council wants to allow for non-irrigated open space? Byron stated that he would like to have some justification to lower the Utah State standard of 3-acre feet per acre. Byron asked is the city can have a standard if it is defensible that is different from the State. Attorney Elton stated yes. Mayor stated that the State Standard assumes that every part of an acre will be irrigated. Byron asked if the city can have a standard that is lower than the Utah State standard if it is defensible? Attorney Elton stated yes. Mayor stated that items c, d, e, and f are all resolved as soon as we get the paperwork from Attorney John Anderson. Mayor wanted to have Natural Landscape, Impact fees and Graduated Water fees place on the next agenda for a decision by the Council.

Kevin asked the Mayor and Council if the Graduated Water rate is an issue that we still need to address. Kevin stated that he felt that a graduated water rate is contrary to the city wanting to promote a rural atmosphere. If the city is asking developers to build large lots why are we then making it more expensive for them to maintain the larger lots. Mayor stated that the water conservancy's plan is in place and the catalyst to make people conserve water is if it costs too much. Kevin stated that he would continue to work on the graduated water rates. Byron made the motion to table items B, G, H until the next City Council meeting. Seconded by Craig. All voted in favor, motion carried.

CONSIDERATION OF JOB DESCRIPTIONS:

Karen made the motion to approve the presented job descriptions for Janitor, Librarian, Utility Billing/Accounts Payable/Cemetery Specialists, Equipment/public works operator II, Utility System/Public Works Operator II/ Office Assistant/ Assistant Court Clerk and Office Staff Rover as presented, except for the Janitor will not be cleaning the furnace filters. Seconded by Byron. All voted in favor, motion carried.

CONSIDERATION OF ORDINANCE IN COMPLIANCE WITH HOUSE BILL 252 – CITY & TOWN CAMPAIGN FINANCE DISCLOSURE:

Attorney Elton explained to those present that the Utah State Legislature passed a new law that requires candidates to file a financial disclosure statement and list all donation of \$50 or more showing who the donation is from and where it was spent. The Council can require this at the primary and the general elections or just the general election. Attorney Elton drafted a sample ordinance but after reading the sample ordinance done by Salem City the Attorney wanted to add some of this ordinance's good points. Attorney Elton stated that the city does not have to adopt an ordinance but if it does not the city will have to follow the State standards and they are much more restrictive. Byron made the motion to place on the next agenda. Seconded by Craig. All voted in favor, motion carried.

CONSIDERATION OF SEWER DUMP STATION: Karen informed the Council that she has gotten a couple of complaints concerning the sewer dump station is not available to use during the weekend or after working hours. Karen stated that many people work and cannot get back to Grantsville in enough time to dump their self contained trailers or campers at the sewer dump station. Mayor stated that it is too risky to leave the dump station opened and unattended. We have a problem with companies dumping commercial waste in the dump station. If their chemicals or hazardous waste gets into our lagoon system it could be a big financial hit to the city. Karen stated that there should be some way number people could call to come down and open the dump station on weekends and evenings. Mayor and Kevin explained that the person on call is paid for one-hour overtime for each time they are called out even if the call out person has

only been home for a short time in between call outs. Mayor stated that idea is too expensive for the community to afford for a small group of people that use the facility. The Mayor stated that people would adapt to what is required. Kevin suggested having an employee work from Noon to eight on Monday's. Or try and accommodate a day after a major holiday that people could dump their trailers. No change was made in the policy.

CONSIDERATION OF SETTING PUBLIC HEARINGS FOR PLANNING

COMMISSION RECOMMENDATIONS: Craig made the motion to add Leo and Neil Johnson zone change request to the agenda for consideration as an emergency item. Seconded by Kevin. All voted in favor, motion carried. Craig made the motion to set the public hearings for zone change for Johnson's from A-10 to R1-12 on 650 East Main, Eliminate the zone RM-30 from the Land Use Management Code, and provide for animal use in the r1-12 zone as a conditional use. The public hearing will be August 16, 2000. Seconded by Kevin. All voted in favor, motion carried.

Craig made a motion to set the public hearing for the General Plan for Thursday, August 17, 2000. Seconded by Karen. All voted in favor, motion carried.

Craig made the motion to set a work meeting with the Planning Commission to discuss the General Plan for August 22, 2000. Seconded by Kevin. All voted in favor, motion carried.

THE HERITAGE PLAY – Mayor and Council that this play is a great thing and Mr. Christley is taking charge and they will be available for help if he needs it. Byron stated that the Old Lincoln Highway Celebration would be set for the spring. The old car associations would not be able to be present during the fall.

COMMUNITY DEVELOPMENT BLOCK GRANT PROJECTS: Mayor stated that he would like to set the Council get some projects in the queue for the upcoming selection process. The Council had some questions on how they could qualify some projects. Byron was interested in using CDBG funds to purchase historical buildings and selling the buildings for \$1.00 with the stipulation that the buildings must be restored. Mayor asked the Council to consider projects to be brought back to another meeting of the City Council.

SIDEWALK REPLACEMENT PROGRAM: Byron stated that the sidewalk replacement program needs to have an agreement signed by the participants that given them a time limit to get the sidewalks poured once the city has removed the old sidewalk. Byron stated that there is one residence on Clark Street that has not been poured for over a year. Recommendations were that the agreement would require the sidewalk project finished within 45 days of the city removing the old sidewalk.

CONSIDERATION OF CITY'S LIABILITY INSURANCE LIMIT: Mayor stated that he did not have a good feel for how much the liability limit should be. Recorder Palmer stated that she had talked with Utah Local Governments Trust and they reported to her that about 30% of the cities have upped their limit. The cities that have upped their limit are all very large cities. Mayor asked the recorder to talk to other cities our size and find out what they are doing. This to be on the next agenda.

CONSIDERATION OF THE CITY'S ABILITY TO DONATE TO CHARITIES: Mayor stated that Recorder Palmer received information from Utah League of Cities and Towns concerning the Utah Taxpayers Association's concern about cities giving tax dollars to charities. There have be Utah Supreme Court Cases that cities and counties have lost. This item to be on the next agenda.

APPROVAL OF BILLS: Byron made the motion to approve the bills as presented. Seconded by Craig. All voted in favor, motion carried.

JULY 4TH: Karen handed out the financial analysis of the 4th of July revenue and expenditures for this year as prepared by Recorder Palmer. Karen commended Chief Johnson's willingness to donate the evidence to the auction for the cancer patients. Comment was made on how to encourage people to build more floats. The expense of the floats was stated to be the problem. Karen commended Glenn Millward and Joe

“Pheno” Martinez for their building of the Queen float. Karen announced that this float won 1st place in the Tooele Parade. Recorder Palmer informed the Council that the two men that worked at the park on the 4th were very much appreciated by the Concession committee. Beverly Shulz called and informed Recorder Palmer that these two men were awesome. Karen stated that the two men were Alan Barney and Kent Martinez.

OTHER BUSINESS: Mayor Cole stated that he is invited to a breakfast meeting at the Hampton Inn tomorrow morning to receive information on the private fuel storage proposal at the Indian Reservation in Skull Valley. Mayor invited one more person to attend with him. Mayor stated that the Police Department organized a blockade on Main Street in front of the City Shops on Friday and issued over one hundred tickets.

Karen asked with the concerns about donations from the city what can the city do to help our Olympian Amy Christiansen Palmer get to the Olympics? Mayor and Byron stated that we could offer the use of city facilities. Karen congratulated the Mayor on the sidewalk replacement on Main Street. Karen asked what could be done about the tree limbs that hang too low over the sidewalks. Karen was informed that the property owners in front of the trees are responsible for the trees.

ADJOURN: Karen made the motion to adjourn at 9:50 p.m. Seconded by Byron. All voted in favor, motion carried.

Wendy Palmer, City Recorder

Merle E. Cole, Mayor